

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Genesis Global Holdco, LLC, *et al.*,¹

Debtors.

Chapter 11

Case No. 23-10063 (SHL)

Jointly Administered

**FOURTH DECLARATION IN SUPPORT OF THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS' APPLICATION FOR ENTRY OF AN ORDER
AUTHORIZING THE EMPLOYMENT AND RETENTION OF WHITE & CASE LLP
AS COUNSEL EFFECTIVE AS OF FEBRUARY 10, 2023**

I, Philip Abelson, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true and correct to the best of my knowledge, information, and belief:

1. I am a partner of the firm of White & Case LLP (“**White & Case**”), an international law firm, which maintains offices for the practice of law at, among other locations, New York, New York. Among other admissions, I am a member in good standing of the Bar of the State of New York, and I have been admitted *pro hac vice* in connection with the above-captioned cases. There are no disciplinary proceedings pending against me in any jurisdiction.

2. I submit this declaration (the “**Fourth Declaration**”) pursuant to sections 328(a) and 1103 of title 11 of the United States Code (the “**Bankruptcy Code**”), Bankruptcy Rules 2014(a) and Rule 2016, and Local Rules 2014-1, 2016-1 and 9013-1 in support of the *Official Committee of Unsecured Creditors’ Application for Entry of an Order Authorizing the Employment and Retention of White & Case LLP as Counsel Effective as of February 10, 2023*

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (or equivalent identifier), are: Genesis Global Holdco, LLC (8219); Genesis Global Capital, LLC (8564); and Genesis Asia Pacific Pte. Ltd. (2164R). For the purpose of these chapter 11 cases, the service address for the Debtors is 250 Park Avenue South, 5th Floor, New York, NY 10003.

(the “**Application**”) [Docket No. 136], filed March 16, 2023.² A first declaration in support of the Application by my partner Gregory G. Pesce was submitted as Exhibit B to the Application (the “**First Declaration**”). A second declaration in support of the Application by me was filed on October 30, 2023 [Docket No. 848] (the “**Second Declaration**”). A third declaration in support of the Application by me was filed on February 22, 2024 [Docket No. 1360] (the “**Third Declaration**”, and, together with the First and Second Declarations, the “**Prior Declarations**”).

3. On April 13, 2023, the Court entered the *Order Authorizing the Employment and Retention of White & Case LLP as Counsel Effective as of February 10, 2023* [Docket No. 222].

4. To the extent that White & Case determines that any information disclosed herein requires amendment or modification upon White & Case’s completion of further analysis or as additional information becomes available to it, a supplemental declaration will be submitted to the Court reflecting the same. Except as otherwise noted, I have personal knowledge of the matters set forth herein.³

5. As noted in the Prior Declarations, White & Case has reviewed and will continue to review its files periodically during these chapter 11 cases with respect to known and newly-identified parties in interest. If any new relevant facts or relationship are discovered or arise, White & Case will use reasonable efforts to identify such developments and will promptly file a supplemental declaration.

Supplemental Disclosure Regarding Potential Parties in Interest

6. An individual scheduled to begin employment at Debtors’ counsel, Cleary Gottlieb

² Capitalized terms not otherwise defined herein shall have the meanings ascribed to such terms in the Application.

³ Certain of the disclosures herein relate to matters within the knowledge of attorneys or employees of White & Case and are based on information provided by them.

Steen & Hamilton LLP, in summer 2024 as a paralegal is the daughter of an attorney at White & Case working on this matter.

7. Based on the foregoing, I do not believe that the foregoing precludes White & Case from meeting the standard for retention as the Committee's counsel under the Bankruptcy Code.

Reaffirmation of Statement of Disinterestedness

8. Based on the foregoing, to the best of my knowledge and insofar as I have been able to ascertain, (a) White & Case is a "disinterested person" within the meaning of section 101(14) of the Bankruptcy Code, (b) White & Case holds no interest adverse under section 1103(b) of the Bankruptcy Code, and (c) White & Case has no connection to the Debtors, their creditors, or other parties in interest, except as may be disclosed in the Application, the Prior Declarations, or this Fourth Declaration. Accordingly, I respectfully submit that the requirements for White & Case's retention as attorneys for the Committee have been met and maintained.

pPursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Dated: May 1, 2024

Respectfully submitted,

/s/ Philip Abelson

Philip Abelson

Partner, White & Case LLP